

# Nebraska Brain Injury Advisory Council

## Appointee Handbook

Revised August 2015

The purpose of this handbook is to familiarize members of the Nebraska Brain Injury (BI) Advisory Council with the activities and expectations of the Council.

This handbook includes a brief history of BI activities in Nebraska, the mission of the Council, the expectations of Council members, the Council's Operating Procedures, and expense reimbursement process.

Please address questions about the contents of this handbook or responsibilities as a Council member to Keri Bennett, (308) 865-5012, [keri.bennett@nebraska.gov](mailto:keri.bennett@nebraska.gov).

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The mission of the Nebraska Brain Injury Advisory Council is to advocate for the best possible system of support for individuals with brain injury by promoting prevention, awareness, education, research and effective public policy. Adopted 6/22/12

## History

The increased incidence of traumatic brain injury (TBI) over the course of the 1980's and 1990's led to efforts to advocate for expanded services for persons with brain injuries. This occurred largely through the efforts of the Nebraska Brain Injury Association (BIA-NE), spearheaded by individuals with TBI and their families. The Nebraska Department of Education, Special Education Office (NDE), received two one-year planning grants from the Health Resources Services Administration, Maternal Child Health Bureau (HRSA/MCHB) for 2000-01 and 2001-02. Accomplishments included legislation in 2000-01 for state matching funds to sustain the Head and Spinal Cord Injury Registry through the Nebraska Department of Health and Human Services (DHHS). A 15 member TBI Advisory Board was created and authorized in state statute until June 2002.

During the two-year planning phase, the TBI Advisory Board led activities to ensure that the required four core components of a culturally competent state system for TBI services were established: a lead agency, an advisory board, a statewide needs and resources assessment and a statewide action plan. The *Nebraska Plan for Systematic Services for Individuals with Brain Injuries and their Families* was developed based on findings from the 2001-2002 Needs and Resources Assessment.

In August 2002, Nebraska received the first of several TBI Implementation Partnership Grants from the Federal TBI Program located in HRSA/MCHB with NDE serving as lead agency. The grants are designed to assist states in expanding and improving local capability, enhancing access to comprehensive and coordinated services for individuals with TBI and their families, and to generate support for sustainable activities that lead to the incorporation of services for individuals with TBI and their families into the state service delivery system. Funds from the grant cannot be used for direct services to individuals, but instead are used for education, training and policy changes that promote "best practices" in serving individuals with TBI and their families in their communities.

In 2009, Nebraska VR became lead agency for the grant, coordinating with NDE and DHHS. The Commissioner of Education appoints members to the Council, which serves as an advisory body and makes recommendations to the coordinating agencies regarding implementation of grant goals and those of the statewide action plan. Recognizing the need to represent the interests of Nebraskans with all acquired brain injuries (not only TBI), the members voted in 2011 to change the Council's name to the Nebraska Brain Injury (BI) Advisory Council.

The statewide action plan still serves as the guide for the development and delivery of available, accessible, appropriate and acceptable community-based services for individuals with BI and their families. The plan was updated in 2007 and again in 2012, based on results from the 2010 Needs and Resources Assessment. To learn more, the [current plan](#) and grant objectives are available at the [Council's web site](#).

## Council Members

### EXPECTATIONS

As a member of the Nebraska BI Advisory Council, you are a representative for Nebraskans with BI. Your job is to represent their interests to others in the community and to the Legislature. This Council serves as an advisory body to the Nebraska Department of Education (Special Education, Nebraska VR) and the Nebraska Department of Health and Human Services, Division of Medicaid and Long Term Care. For the Council to fulfill its mission, members of the Council need to be actively involved in Council initiatives and activities. Your leadership abilities, knowledge and experience are the resources on which the Council and Nebraskans with brain injuries depend.

Council members are expected to:

- Become actively involved in the Council Committees and Task Forces. The Council's input and involvement in these activities will make a difference for people with brain injuries and their families.
- Attend all quarterly meetings.
- Adhere to the Conflict of Interest Policy

Council members represent the interests of Nebraskans with BI. Your membership on the Nebraska BI Advisory Council is an opportunity to have a positive impact on the lives of Nebraskans with BI.

### EFFECTIVE MEMBERSHIP

To be effective, Council members need to have:

- The capability to gather concerns from and to report back to organizations or constituencies.
- A broad view of, or the willingness to learn, about BI and the service options needed by and available to individuals with BI and their families.
- The ability to make time available to actively participate in BI Advisory Council meetings.

### MEETING RESPONSIBILITIES

The BI Advisory Council will advise the NDE (Special Education and Nebraska VR) and DHHS (Division of Medicaid and Long Term Care) concerning:

- Implementation of the goals outlined in the Nebraska State Plan for Systematic Services for Individuals with Brain Injuries and Their Families.
- The TBI Implementation Partnership Grant from Health Resources and Services Administration, Maternal and Child Health Bureau (HRSA/MCHB).
- The review of current pertinent research and information regarding service delivery systems for individuals with BI and their families.
- Recommendations for training for educators, service providers, state agencies, individuals with BI and their family members.

### MEMBER EXPECTATIONS DURING BI COUNCIL MEETINGS

- Each member listens when another member or presenter is speaking.
- Side conversations between two or more members when another member or presenter is speaking are not accepted.
- It is common courtesy to leave the room to have a conversation with another individual.
- Electronic devices (except for those required for participation) such as cell phones will be turned off or put on a mode that does not disrupt the meeting.
- All members will attend and participate for the entire meeting.
- Differences of opinion are respected.
- All members focus on the meeting agenda, leaving other work and personal issues aside.
- All members are expected to participate and contribute to discussions and other scheduled Council activities.
- People First language will be used in all meetings and discussions.

## Council Materials

Prior to each scheduled meeting Council members will receive an e-mail message that will include:

- Agenda
- Minutes from the previous meeting
- Executive Committee Report (when appropriate)
- Agenda Support Items (when appropriate or available)
- Task Force Reports (when available)

To be increasingly more knowledgeable and proactive, review the materials prior to each meeting. No one expects you to be an expert on brain injury. The Council is striving to become more knowledgeable to assist you as you weigh options when voting or formulating responses. Each BI Advisory Council member has an equal voice in all deliberations. Each of you has been selected because you represent an important perspective on brain injury. Please feel comfortable voicing your comments and asking questions during our meetings and outside the meeting time. If your question cannot be answered or you need to schedule a special time to meet to discuss your issue or question, a special time will be arranged to meet with you.

### STEP #1

Upon receipt of the agenda e-mail the council recorder whether or not you will be attending. A lunch count and quorum must be determined.

### STEP #2

Study the agenda. The agenda will be arranged in approximately the same order for each meeting. The Executive Committee communicates prior to every BI Advisory Council meeting to assist the Council in its operation. Draft responses or motions for the Committee to consider may be provided to help use meeting time more effectively and efficiently.

### STEP #3

Take time to review the support materials. If you have questions, comments or concerns contact Keri Bennett, 308/865-5012 or [keri.bennett@nebraska.gov](mailto:keri.bennett@nebraska.gov). There may be a need to alter an agenda or the Executive Committee may need to consider your question, comment or concern.

## **Taking Action**

When the BI Advisory Council is making recommendations, the desired goal is a consensus. If consensus cannot be reached, the recorder for the Council will take a roll call vote and a motion will pass based on a majority of members present.

The responses are “**yes**,” “**no**,” or “**abstain**.”

Abstain is typically used if there is a conflict of interest, when choosing not to vote, or for approval of past minutes if the member was not present at the meeting in question. Roll call votes are routinely used if a motion is made.

## **Reaching Consensus**

Consensus is a decision each person:

- Can live with and
- Can agree not to sabotage; and
- Has an opportunity to voice an opinion about.

When a motion is being considered, there are ground rules for discussion:

- Respect others' ideas and feelings
- Participate and give others the opportunity to do so
- Be brief
- Listen carefully
- If you don't understand, ask for clarification
- Seek a decision you can support

## **Robert's Rules of Order**

The BI Advisory Council typically uses Robert's Rules of Order to propose motions, discuss motions, and vote. Noted exceptions are the informal confirmation of the agenda for the day at the beginning of the meeting and the motion to adjourn. The confirmation at the beginning of the day is usually conducted by voiced vote. The adjournment motion vote is usually a voiced vote.

If you are not ready to vote yet, but you can't think of any more questions, you can make one of the following motions which must be seconded and voted on by the membership:

- Refer the question to the Executive Committee or another appropriate group
- Move to table the motion until a specified time
- Amend to add certain provisions, or conditions under which it would be acceptable
- Move to postpone indefinitely

If you want to end the discussion and speed up action, you can make one of the following motions, which must be seconded and voted on by the membership:

- Move to limit debate
- Call the question
- Move to close debate

## Expense Reimbursement

Voting BI Advisory Council members who live outside of Lincoln are eligible for reimbursement of expenses to attend the meetings at the current state reimbursement rate:

### MEALS

Trip without an overnight stay:

- Breakfast on date of trip – reimbursable only if departure is at or before 6:30 a.m.
- Lunch – not reimbursable when it is provided as part of the BI Advisory Council meeting.
- Dinner on day of trip – reimbursable only if return home is at or after 7:00 p.m.

Trip with an overnight stay:

- Breakfast – same as above
- Lunch – day of departure if at or before 11:00 a.m. and day of return if at or after 2:00 p.m.
- Full days with overnight stay
- Dinner – same as above

### LODGING

For lodging reservations, contact Caroline Helget [caroline.helget@nebraska.gov](mailto:caroline.helget@nebraska.gov). She will make your reservation and have it direct billed to the Council.

### TRANSPORTATION

- Round trip mileage (claims will be verified using MapQuest)
- Privately owned airplane – reimbursed with PRIOR approval of the Commissioner of Education.
- Airfare, bus or train tickets purchased by the BI Council member will be reimbursed if the original ticket receipt is submitted. Airfare tickets must have PRIOR approval by Keri Bennett.

All voting BI Advisory Council members are eligible for the following reimbursement of expenses to attend the meetings at the current state reimbursement rate:

### Parking

If you are charged for parking while attending Council meetings, it will be reimbursed with a receipt.

### Teachers

Council members who are teachers can request pay for a substitute while they are attending a Council Meeting. If a substitute needs to be hired, contact Keri Bennett to request a letter contract (needs to be prepared in advance of the meeting).

### Child Care

Council members who need child care to attend the meeting can submit a receipt from the provider for reimbursement. Contact Keri Bennett for details.

Expense reimbursement documents may be completed at the council meeting by meeting with council recorder, who will assist in the completion of your request. Council members will be reimbursed by either a direct deposit or debit card. The council recorder may also be contacted after the meeting.

## Operational Procedures

### I. NAME/PURPOSE/DEFINITIONS

#### A. Nebraska BI Advisory Council

- The name of this Council shall be the Nebraska BI Advisory Council.

#### B. Purpose

- It shall be the purpose of the BI Advisory Council to advise and make recommendations to the Nebraska Department of Education, Special Education Office and Nebraska VR (NDE) as well as the Nebraska Department of Health and Human Services (DHHS) with respect to the implementation of the goals of the BI State Plan for Systematic Services for Individuals with Brain Injuries and their Families and the TBI Implementation Partnership Grant.

#### C. Definitions

The following definitions shall apply:

- Council or BI Advisory Council shall refer to the Nebraska Brain Injury (BI) Advisory Council appointed by the Commissioner of Education.
- The State Plan shall refer to the Nebraska State Plan for Systematic Services for Individuals with Brain Injuries and their Families.
- The State Board shall refer to the Nebraska State Board of Education.
- The Commissioner shall refer to the Nebraska Commissioner of Education.
- NDE shall refer to the Nebraska Department of Education, Special Education Office and Nebraska VR.
- DHHS refers to the Nebraska Department of Health and Human Services, Division of Medicaid and Long Term Care.
- Coordinating Agencies shall refer to the Nebraska Department of Education (Special Education and Nebraska VR (NDE), and Nebraska Department of Health and Human Services, Division of Medicaid and Long Term Care (DHHS).
- Implementing agency shall refer to Nebraska VR.
- State shall refer to the State of Nebraska.

### II. ORGANIZATION

#### A. Membership

The BI Advisory Council shall include in so far as practicable,

- (1) The Director of the Division of Medicaid and Long Term Care, Department of Health and Human Services or his or her representative,
- (2) The Director of Nebraska VR or his or her representative, and
- (3) The Director of Special Education or his or her representative
- (4) A member of an organization or foundation representing individuals with brain injury in the state
- (5) A representative of Nebraska's Injury Prevention and Control Program
- (6) Twelve public members. Of the public members at least seven shall be individuals with a brain injury or the family members of these persons, and at least four of the remaining members shall be representatives of the following groups: public or private health-related organizations, disability advisory or planning groups within the State, and service providers for individuals with brain injuries.

Members shall be selected so as to represent the western, central, and eastern regions of the State.

## **B. Terms of Membership**

- Appointments to the BI Advisory Council shall be by the Commissioner of Education for a term of three (3) years.
- Terms shall be staggered over a three year period.
- Prior to a council member's term expiration, the council chair or staff will ask the member if he or she desires to continue serving on the council, assuming the council member wants to continue. The council chair or staff will create a ballot that each council member will use to vote privately at the beginning of the meeting before a council member's term expires, the council chair or staff will compile the results and report to the council by the end of the meeting. Renewal of council membership will be determined contingent on majority vote.
- Resignation by any member must be in writing and submitted to the Council Chair.
- Any member appointed by the Commissioner to replace a resigning member or to fill a vacancy would be filled in the same manner as the original appointment. Such appointments shall complete the original member's remaining term on the Committee

## **C. Attendance**

- Council members shall report to the Recorder of the Council of their planned attendance or reason for non-attendance at a regular or special Council meeting.
- If any member misses two scheduled meetings in a given year, the Chair may forward a recommendation to the Implementing Agency that the member be replaced.
- Upon recommendation of the Executive Committee, the Commissioner will remove an appointee to the Council if, for some reason, he/she no longer qualified as an appointee in the category for which he/she was selected.

## **D. Appointment of the Chair and Recorder for the BI Advisory Council**

- A BI Advisory Council Chair will be assigned by the Implementing Agency and will also chair the Executive Committee. The Chair is a voting member of the BI Advisory Council. The Chair will ideally be an individual with a brain injury or a family member.
- A Recorder will be assigned by the Implementing Agency and will also serve as the recorder for the Executive Committee.

## **E. Executive Committee**

- An Executive Committee of up to eight members will be elected from the BI Advisory Council. Elections for Executive Committee vacancies shall be held during the last meeting of each year.

The Executive Committee shall consist of:

- At least one individual who has sustained a brain injury (elected)
- At least one family member of an individual with a brain injury (elected)
- Two additional committee members (elected)
- The Chair for the Council (appointed)
- One representative from each of the coordinating agency divisions (appointed)



- One of the elected Executive Committee Members will serve as Vice Chair for the Council and will be selected by the Executive Committee prior to the first Council meeting each year. That person will represent the Council when the Chair is not available.

#### **F. Ad Hoc Committees or Task Forces**

- When necessary, the BI Advisory Council shall be aided in its operation by ad hoc committees or task forces. Membership of these committees shall consist of appropriate persons recommended by the BI Advisory Council or the Executive Committee and the coordinating agencies.
- Ad Hoc Committees or Task Forces will review issues as recommended by the Executive Committee, the BI Advisory Council or NDE and will report results to the BI Advisory Council.

### **III. MEETINGS**

#### **A. Meeting Rules**

- A quorum shall be constituted by a simple majority of the BI Advisory Council membership, and will be required for all matters of official business.
- In the absence of the Chair for the BI Advisory Council, the Vice Chair for the BI Advisory Council shall preside at the meeting.
- Written notice stating the place, day and hour of any meeting shall be delivered personally, by email, or by mail to the last known address of each member not less than ten calendar days before the date of such meeting by Council staff. The ten-day notice provision notice is waived if the Executive Committee determines that the Council will meet within less than ten days of the last meeting.
- Any member unable to be in attendance for a regular meeting is encouraged to send a substitute who may be recognized by the Chair in representing the absentee member. A substitute will not be permitted voting privileges. Substitutes shall meet the same criteria for selection and represent the same constituency as the BI Advisory Council member being replaced for that meeting.
- Expenses will be paid for Council members. Expenses for substitutes will be reimbursed for not more than two meetings per year per Council member.

#### **B. Meeting Schedule**

- The BI Advisory Council shall meet at least quarterly.
- Special meetings may be held if necessary at the call of the Executive Committee or Chair.
- The meeting dates for the next year shall established as a matter of BI Advisory Council business at the last meeting of each calendar year.
- The Implementing Agency, upon the recommendation of the BI Advisory Council Executive Committee, may call additional meetings necessary to transact the business of the BI Advisory Council.
- In the event a quorum would not be present, the Chair in consultation with Council staff shall cancel the meeting and notify the Executive Committee to discuss rescheduling.
- In the event of forecasted inclement weather, Council staff shall contact the Chair and a decision shall be made as to whether to cancel the meeting the day before the meeting. Council staff will notify the BI Advisory Council of this decision and will notify the Executive Committee to discuss rescheduling.

### **C. Meeting Procedures**

- All appointed members may vote on a motion before the Council.
- Formal voting of the BI Advisory Council shall be conducted by Roberts Rules of Order, revised edition. Informal action will be conducted by a voice vote or a show of hands. Motions receiving a majority of votes of members present shall prevail.
- The BI Advisory Council shall limit discussion to items on the proposed agenda. However, additional items may be submitted by a majority vote of the Council during the acceptance of the agenda at the beginning of each meeting.
- Proposed agenda items shall be transmitted by BI Advisory Council members to the Chair or Council staff fourteen (14) calendar days prior to the scheduled meetings. The Executive Committee shall then determine a tentative agenda.
- Persons or organizations desiring to address the BI Advisory Council may be placed on the agenda by making a request in writing to the Council Chair or staff.
- Support materials and reports for the agenda items should be in written form and mailed or emailed to the membership along with the agenda prior to the meeting whenever possible.
- Non-members not scheduled as part of the proposed agenda may be heard by the Council during the portion of the agenda designated as "Public Comment." The Chair or staff shall establish a specific length of time for such presentations.
- All meeting sites must be barrier free and accessible for persons with disabilities including any necessary accommodations.

### **IV. MISCELLANEOUS**

#### **Conflict of Interest**

Conflict of Interest is defined in Section 49-1499, Revised Statutes of Nebraska, as:

- A.** A potential conflict of interest exists when you, in the discharge of official duties, would be required to take an action or make any decision that may cause financial benefit or detriment to you, a member of your immediate family or a business with which you are associated which is distinguishable from the effects of such action on the public generally or a broad segment of the public.
  - B.** Immediate family shall mean a child residing in your household, your spouse or an individual claimed by you or your spouse as a dependent for federal income tax purposes.
  - C.** Business with which you are associated shall mean a business: (1) of which you are the sole proprietor; (2) or in which you are a partner, director, officer, or employee; (3) or in which you or a member of your immediate family is a stockholder of closed corporation stock worth \$1,000 or more at fair market value or which represents more than 5 percent equity interest, or is a stockholder of publicly traded stock worth \$10,000 or more at fair market value or which represents more than 10 percent equity interest.
- At the first meeting of each calendar year, members shall disclose any potential conflict of interests of which they are aware. These disclosures shall be duly recorded in the minutes. The "Conflict of Interest" Policy shall be given to each member at this time.
  - When a member is aware of a conflict of interest, they should notify the chairperson.
  - Council members with a conflict of interest should refrain from participating in the discussion other than to offer information or answer questions. When a vote is taken, the members with a conflict should leave the room during

the vote and until the votes are tabulated. The minutes shall reflect that the member was "not present" for the vote.

- Any member who is unsure whether there is a conflict or potential conflict should present the question to the full Council or Executive Committee prior to any vote being taken.